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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 DANIEL SMALL, *et al.*,

Case No. 2:13-cv-00298-APG-PAL

8 Plaintiffs,

ORDER

9 v.

10 UNIVERSITY MEDICAL CENTER OF
SOUTHERN NEVADA,

11 Defendants.

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13 There are two pending discovery motions on the court's docket relating to ESI and
14 discovery disputes, Plaintiffs' Motion for Sanctions (Dkt. #150) and Plaintiffs' Emergency
15 Motion and Request for a Status Conference (Dkt. #180). Briefing on the first motion is
16 completed. The defendants' response is not yet due on the second motion.

17 On March 3, 2014, the court entered a written Order (Dkt. #149) appointing Daniel
18 Garrie as a Special Master for electronic discovery in this case. The Special Master has
19 conducted fourteen days of hearings between April 4, 2014, and July 25, 2014, with counsel, the
20 parties' representatives, and consultants. In an Order (Dkt. #183) filed July 31, 2014, the Special
21 Master required the Plaintiffs and Defendants to provide detailed information described in the
22 order, set a briefing schedule for supplemental briefs extending the deadline to August 6, 2014,
23 and indicated that he would file his report and recommendation during the week of August 11,
24 2014.

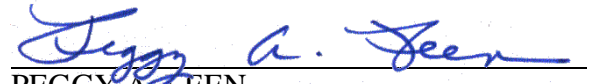
25 The two pending motions are inextricably intertwined with the work that the Special
26 Master has been doing and continues to do. While the Special Master has indicated that there are
27 issues that this court must resolve that are outside the scope of his appointment, the court will not
28 rule on these motions before the special master's report and recommendation is submitted.

1 Without the Special Master's report the court lacks the detailed information about the parties'
2 ESI discovery issues which resulted in the Special Master's appointment. Accordingly,

3 **IT IS ORDERED** that:

- 4 1. Plaintiffs' motions (Dkt. ##150, 180) are **DENIED** without prejudice.
- 5 2. When the Special Master's report and recommendation is received, the court will
6 enter an appropriate order or report and recommendation, and if appropriate, give the parties an
7 opportunity to address any remaining ESI or other discovery disputes.

8 DATED this 4th day of August, 2014.

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11 PEGGY A. LEEN
12 UNITED STATES MAGISTRATE JUDGE
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